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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 001360

SIPDIS

DEPT. FOR P, EUR/SE AND NEA/NGA

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TAGS: [PREL](#) [MOPS](#) [TU](#) [IZ](#)

SUBJECT: IRAQ: TURKEY SLAMS TAL

(U) Classified by DCM Robert Deutsch. Reasons 1.4 (a) and (b).

1. (C) Summary: GOT reacts harshly to the terms of the TAL. It views the process as undemocratic; the result as a pure ethnic federation dividing Iraq; and the treatment of the Turkomen as belittling. The result is inconsistent with the presentation to date by the U.S. including in the recent letter from the President to PM Erdogan. Turkey believes it has been frozen out of US Iraq operations and treated in a manner unbecoming an Ally. If the TAL becomes final, Turkey believes it will have difficulty continuing its cooperation on Iraq. We request guidance for a response in Paragraph 8

2. (C) DCM was convoked evening of March 5 to Ministry of Foreign Affairs by Director General for Middle East Tahsin Burcuoglu concerning the Iraq Transitional Law. Burcuoglu speaking, on the instruction of the Minister he said, wanted to inform the U.S. of its analysis and reaction to the Iraqi TAL. According to Burcuoglu, Turkey obtained a copy of the final text several days ago. It was disappointed that the U.S. didn't share the text or consult with Turkey on it. Turkey felt shut out, disappointed and violated by the result. The U.S. had not treated Turkey in a manner befitting an Ally

3. (C) While the U.S. had consistently stated that the future of Iraq would be decided by the Iraqis and was intended to be a step toward democracy, he said, in fact the text of the TAL had been kept secret, and even some members of the IGC were unaware of the developments. A Turkomen Minister in Ankara said he was unaware of the thrust of the TAL. When informed by the Turks of its content, he told them he would resign his position. There was a complete lack of transparency with the international community, as well, Burcuoglu added. The IGC was an entity picked by the U.S. it lacked legitimacy and had significant representations deficits. The text in many areas determined the future of Iraq not only for the Transitional period, but for the indefinite future since significant parts of the text could not realistically be amended even by a fully elected assembly. This text prepared by 25 individuals picked by the US and the CPA was not compatible with democracy and if it became final, the GOT would be obliged to pronounce it as such, he stated.

4. (C) The system established in the TAL, Burcuoglu said, was also objectionable. It established definitively a federal system in Iraq, and that federation was a pure ethnic one, he added. The terms of that system, despite the commitments made even recently in the letter from the President to PM Erdogan, would clearly result in a division of Iraq into at least two parts, one Kurdish segment and one other large segment, as yet nameless. The latter part might be further divided. The Kurdish language was an official language throughout Iraq and that would be a provocation to violence in Arab areas. The Kurdish Regional Government divided Turkey from an Iraq that would no longer be a neighbor. The difficulties in maintaining a relationship between Turkey and Iraq already evident would grow because of the new status of the KRG. While the status of the Kurdish region could change, the TAL created an *acquis* and the IGC's decisions would in fact rule Iraq well beyond its extinction, he noted.

5. (C) Burcuoglu also said that we had reduced the Turkomen to the status of a negligible minority. The Turkomen who are 2.5 million strong in Turkey, *s* view are given the same administrative and cultural rights as the Chaldeans, Assyrians and Armenians (a few hundred in Iraq). Their language right, established in the 1932 constitution disappeared. We had chosen to treat the Turkomen as they had been under Saddam's laws rather than in Iraq's founding act of the 1932 Constitution. The Turkomen had been completely excluded from writing the TAL which determined their fate,

since the Turkomen representative on the IGC was mediocre and did not understand the implications of the effort.

16. (C) if this text became final, Burucuoglu added, it would really create problems in Iraq and in the neighboring countries which would make the difficulties experienced to date seem unimportant. Speaking personally, Burcuoglu added that he hoped the Shia representatives continued to refuse to sign the text because if it was brought out in public it would create a much greater reaction.

17. (C) For Turkey,s part, the GOT was planning to release a public statement reflecting its analysis shortly, he noted. If the law became final, it would result in a text that clearly embodied elements that were denied in the Presidents. Turkey would have to take measures and it would have a problem continuing its cooperation with the U.S. on Iraq.

18. (C) Comment and Action Requested: Burcuoglu reflected consistent themes in Turkey,s view of Iraqi developments. Our attempts to respond, based on the general guidance concerning the TAL we have available did not deter his onward thrust. Nonetheless he spoke in conclusive terms with the clear instructions from his superiors. If this view of developments on the TAL remains, it will in fact complicate our activities. We request a copy of the TAL and instructions that would allow us to rebut the GOT analysis.  
EDELMAN